

80-351
2:2

I, or we, John & Mary Hughes legal owner^s of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof hereby petition for a Variance from Section 1401.3B 1d. (1000.7B 3 - d 103.3) to permit a side yard setback of 42' instead of the required 50'

MAP: 4D
 NE 18-F
 SECTION
 E. SECTION 11
 D. TR. 5-2-79
 TYPE:
 HEARD-G: V
 his LY 40
 of AL 10-22-79
 BY: 4.2

John M. Hughes
Mary B. Hughes 483-2532
Legal Owner

Address 3106 Chesterfield Avenue
Baltimore, Maryland 21213

Protestant's Attorney

of June, 197 2, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson - Baltimore County, on the 9th day of August, 197 2, at 10:15 o'clock a.m.


(over)

8/9/79
10.15 A.M.

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

I HEREBY CERTIFY that on this 31st day of July, 1979, a copy of the foregoing was mailed to Mr. and Mrs. John M. Hughes, 3106 Chesterfield Avenue, Baltimore and 21213, Petitioners.



John W. Hession, III



August 10, 1979

RE: Petition for Variance
E/S of Tyla Road, 173' N of
Drew Court - 11th Election District
John M. Hughes, et ux - Petitioners
NO. 80-35-A (Item No. 232)

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

 JEAN M. H. JUNG
 Deputy Zoning Commissioner

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Located on the East side of Tyla Lane 173 feet \pm North of the intersection of Tyla Lane and Drew Court. Being Lot #15 as shown on plat of "Margate" Section II, recorded in the land records of Baltimore County in Plat Book EHK., JR. 40 Folio 21.

John & Mary Hughes
3106 Chesterfield Ave.
Baltimore, Maryland 21213
Phone# 483-9532

William E. Hammond
Zoning Commissioner

TO: John D. Seyffert
FROM: Director of Planning
SUBJECT: Petition #80-35-A, Item #232

Date: July 30, 1979

HEARING: Thursday, August 9, 1979 (10:15 A.M.)

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rw

The seal of Baltimore County, Maryland, is a circular emblem. It features a shield divided into four quadrants, each containing a different pattern of vertical and horizontal lines. The shield is surrounded by a border containing the text "BALTIMORE COUNTY" at the top and "MARYLAND" at the bottom. Five stars are arranged in a horizontal row across the center of the seal, above the shield.

EVALUATION COMMENTS	
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County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 3rd day of July, 1979.

Petitioner John M. Hughes, et ux
 Petitioner's Attorney _____

Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

baltimore county
department of public works
TOWSON, MARYLAND 21204

June 15, 1979

Re: Item #232 (1978-1979)
Property Owner: John M. & Mary B. Hughes
E/S Tyla Rd. 173' N. Drew Ct.
Existing Zoning: RC 2
Proposed Zoning: Variance to permit a side setback of
4' in lieu of the required 50'.
Acres: 1.00 District: 11th


The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #117610, executed in conjunction with the development of Margate - Section Two, of which this property comprises Lot 15 of "Flat One Margate Section II", recorded E. H. K., Jr. 40, Folio 21.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

This office has no further comment in regard to the plan submitted in connection with this Item #232 (1978-1979).

Very truly yours,

 EDMUND N. DIVER, P.E.
 Chief, Bureau of Engineering

UU-NE Key Sheet 71 NE 13 Pos. Sheet
NE 18 ~ Topo 45 Tax Map

JAN 22 1960

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of August, 1979, that the herein Petition for Variance to permit a side yard setback of 42 feet in lieu of the required 50 feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 27, 1979

Mr. & Mrs. John M. Hughes
3104 Chesterfield Avenue
Baltimore, Maryland 21213

RE: Item No. 232
Petitioners - John M. Hughes, et ux
Variance Petition

Dear Mr. & Mrs. Hughes:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to construct a dwelling within 42' of the side property line in lieu of the required 50', this Variance is required.

Your attention is directed to the comments of the Bureau of Engineering. In the reference there is a typographical error indicating a Variance of 4' in lieu of the required 50'. In conversation with Mr. Frederick W. Ringger, Jr., he indicated that the submitted comments were still applicable.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing.

Item No. 232
Page 2
July 27, 1979

certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
NICHOLAS B. COMMODARI
Zoning Plans Advisory Committee

Enclosures

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE H. GRAEF
DIRECTOR

July 13, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #232, Zoning Advisory Committee Meeting, May 8, 1979, are as follows:

Property Owner: John M. and Mary B. Hughes
Location: E/S Tyla Road 173' N. Drew Court
Existing Zoning: RC-2
Proposed Zoning: Variance to permit a side setback of 4' in lieu of the required 50'.
Acres: 1.00
District: 11h

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari
FROM: Charles E. Burnham
SUBJECT: Zoning Advisory Committee Meeting May 8, 1979

Date: May 15, 1979

ITEM NO. 230 Standard Comment
ITEM NO. 231 Standard Comment
ITEM NO. 232 Standard Comment
ITEM NO. 233 Standard Comment
ITEM NO. 172 REVISED See Revised Comments

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

July 11, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comments about item numbers 231 and 232.

Very truly yours,
Michael S. Flanigan
Engineer Associate II

MSF/mjm

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 22, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 232, Zoning Advisory Committee meeting of May 8, 1979, are as follows:

Property Owner: John M. & Mary B. Hughes
Location: E/S Tyla Rd. 173' N. Drew Ct.
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a side setback of 42' in lieu of the required 50'.
Acres: 1.00
District: 11

The proposed dwelling will be served by an existing drilled well and proposed sewage disposal system. The proposed house location will not interfere with the location of either the well or sewage disposal system.

Very truly yours,
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JEP:phg

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 835-7310

Paul H. Reincke
CHIEF

July 12, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: John M. & Mary B. Hughes

Location: E/S Tyla Rd. 173' N. Drew Ct.

Item No. 232 Zoning Agenda Meeting of 5/8/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1973 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: [Signature] Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

JAN 22 1980

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 7, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: Meeting of May 8, 1979

RE: Item No: 230, 231, 232, 233
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

W. Nick Petrovich

W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. DAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTBARIQ

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER B. HAYDEN
ROBERT Y. DUDLE, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11 Date of Posting: 7/24/79
Posted for: Petition for Variance
Petitioner: John M. Hughes et ux
Location of property: E. 15 Taylor Rd., 173' N. of Drew Ct.
Location of Signs: front of property facing Taylor Rd.
Remarks: _____
Posted by: Ken Glendon Date of return: 7/27/79
Signature

1 sign

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 1st day of
Aug 1979. Filing Fee \$ 25.00. Received Check
Cash
Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: John M. Hughes et ux Submitted by: John M. Hughes
Petitioner's Attorney: _____ Reviewed by: John M. Hughes

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.



TOWSON, MD. 21204 July 19 1979

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR VARIANCE - John M. Hughes, et ux
was inserted in the following:

- | | |
|---|--|
| <input type="checkbox"/> Catonsville Times | <input type="checkbox"/> Towson Times |
| <input type="checkbox"/> Dundalk Times | <input type="checkbox"/> Arbutus Times |
| <input checked="" type="checkbox"/> Essex Times | <input type="checkbox"/> Community Times |
| <input type="checkbox"/> Suburban Times East | <input type="checkbox"/> Suburban Times West |

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
20th day of July 1979, that is to say, the same
was inserted in the issues of July 19, 1979.

STROMBERG PUBLICATIONS, INC.

BY *Ester Berger*

PETITION FOR VARIANCE 11th DISTRICT

ZONING: Petition for Variance for
side yard setback.
LOCATION: East side of Tyla Road
173 feet North of Drew Court
DATE & TIME: Thursday, August
9, 1979 at 10:15 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of
Baltimore County, will hold a public
hearing:
Petition for variance to permit a
side yard setback of 42 feet in lieu
of the required 50 feet.
The Zoning Regulation to be ex-
cepted as follows:
Sections 140.3B.1d (140.3B.3 and
108.3)-side yard setback
All that parcel of land in the
Eleventh District of Baltimore
County

Located on the East side of Tyla
Lane 173 feet North of the inter-
section of Tyla Lane and Drew
Court, being Lot #15 as shown on
plat of "Margate" Section II, re-
corded in the land records of Bal-
timore County in Plat Book 218E,
JR 40 Folio 31.

Being the property of John M.
Hughes, et ux, as shown on plat
plan filed with the Zoning Depart-
ment.

Hearing Date: Thursday, August
9, 1979 at 10:15 A.M.
Public Hearing: Room 106, County
Office Building, 111 W. Chesapeake
Avenue, Towson, Md.

By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
July 19, 1979

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 19, 1979

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md. ~~once a week~~
~~at one time~~ ~~two weeks~~ before the 20th
day of August, 1979, the ~~first~~ publication
appearing on the 19th day of July
1979.

THE JEFFERSONIAN,

L. Lusk Strickland
Manager.

Cost of Advertisement, \$ _____

80-35-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83097

DATE August 7, 1979 ACCOUNT 01-662

AMOUNT \$37.90

RECEIVED FROM Mary Bernice Hughes

FOR: Advertising and Posting of Case No. 80-35-A

210213 7

37.90 MSC

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 78773

DATE July 9, 1979 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM John Michael Hughes

FOR: Posting and Advertising of Case No. 80-35-A

Filing Fee

555 555 10

25.00 MSC

VALIDATION OR SIGNATURE OF CASHIER

